



San Diego City Attorney Jan I. Goldsmith

NEWS RELEASE

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Contact: Jonathan Heller, Communications Director: jheller@sandiego.gov, (619) 533-4782

POLICE OFFICERS CLEARED IN ALLEGED BRUTALITY CASE

San Diego, CA: A jury has cleared four police officers in an alleged case of brutality against a disabled person during a traffic stop.

Police Officers James Zirpolo, David Spitzer, Gary McPhee and Sgt. Robert Dare (now retired) were accused of using excessive force on Dec. 19, 2006 when they pulled over Jeffrey Gorman for allegedly making an illegal left turn from Everts Street to Grand Avenue. Subsequently, Gorman pled guilty to DUI.

Gorman sued the officers, other City officials and the City of San Diego, claiming his Fourth Amendment rights were violated during the stop and subsequent investigation. During the course of the legal proceedings, the officers' names were unnecessarily sullied in the news media and on social media by the plaintiff's lawyer.

After hearing the evidence in trial, the jury deliberated less than two hours before clearing the officers on February 16.

"The fact that the jury returned their verdict in an hour and a half after a two-week trial speaks volumes about the case," said Chief Deputy City Attorney Don Shanahan. "The four officers were fully vindicated by the jury's verdict."

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